

Before the State of South Carolina
Department of Insurance

In the Matter of:)	SCDOI Docket # 05-0299
)	
Donna L. Clayton)	Order Revoking Resident Producer License
)	
_____)	

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting the revocation of Donna L. Clayton's ("Producer") resident producer's license.

After careful review of the evidence presented the Department issues the following decision.

FINDINGS OF FACT

Producer is currently a South Carolina resident producer.

In the State of South Carolina at the Chester County General Sessions Court on March 2, 2005 the producer was charged and convicted of three (3) counts of "Forgery".

In the State of South Carolina the producer failed to respond to the Notice of Investigation and the Letter of Allegation and Notice of Opportunity for Hearing sent by the Department, after receiving by certified mail verified by signed return receipt cards.


CONCLUSIONS OF LAW

Pursuant to S.C. Code §38-43-130(A), "the Director or his designee may place on probation, revoke, or suspend a producer's license after ten days' notice when it appears that a producer has been convicted of a crime involving moral turpitude." Thus Donna L. Clayton has been convicted of three (3) counts of "Forgery" in the Chester County General Sessions Court on March 2, 2005.

THEREFORE, it is ordered that Donna L. Clayton South Carolina resident producer license shall be revoked thirty (30) days from the date of this order, and no license issued through the state of South Carolina Department of Insurance is to be issued to her, unless Donna L. Clayton requests in writing within said thirty (30) day period a public hearing before the South Carolina Administrative Law Court.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2000).

A handwritten signature in cursive script, reading "Eleanor Kitzman".

Eleanor Kitzman
Director of Insurance

Dated this 22 day of January 2007